# Executive Council

Tuesday. 8th April 1879.

Present

His Excellency Governor Callaghan C.M.G.
The Hon.ble H.H. Watts, Arthur Bailey and W.S. Hamilton Esqrs

The Council met pursuant to summons.

Mr. Collins took the oath as Clerk to the Council

W. Hamilton was sworn acting as a Member of the Council subject to Her Majesty's approval.
The Minutes of last Meeting held on the 31st October 1877 were read and confirmed.

The Governor drew the attention of the Council to a petition which had been presented to him praying for the liberation of Thomas William Allday now undergoing an imprisonment of twelve months duration in Stanley Gaol.

The Governor stated that he had received a letter to the effect that the petition would have been more numerously signed if a previous petition to the Acting Governor had not been left unanswered. The former petition was to the same tenor and effect as the present one.

The

The Governor also stated that he had seen certain letters from Mrs Allday the wife of the prisoner in question addressed to the Registrar of the Supreme Court in reference to her husbands case, which were of a very intemperate character. He was unwilling to trouble the Council by calling for the production of these letters.

On the receipt of the last petition the Governor caused a communication to be addressed to Mr Bailey the Acting Chief Justice at the trial of the prisoner Allday and called upon the Clerk to getting from a written report the Council to read the report which had been received from that gentleman and the Magistrates who assisted with him at the trial.

The Clerk read the following Report.

Magistrates Court
Stanley. Falkland Islands
April 7th 1879

"Sir.

"Since receiving Your Excellency's letter
"of this days date we the undersigned have
"read the evidence taken at the trial of Thomas
"William Allday on the 9th July last, on the
"charge of theft and embezzlement of certain
"monies belonging to the Falkland Islands
"Company. After consultation and taking into

"consideration the circumstances brought forward
"during the trial, are of opinion that the sentence
"is a lenient one, and it was made lenient by
"us in consequence of the jury, who found him
"guilty on all counts recommending him to
"mercy".

(Signed) Arthur Bailey. Police Magistrate
( do ) George McDean J.P.
( do ) Horace N. Watts J.P.

To His Excellency ( do ) C. M. Dean J.P.
Governor Callaghan C.M.G.
Government House
Stanley

The Governor asked Mr Bailey and Mr Watts who sat on the trial as to whether they were of opinion that the verdict of the Jury was fully borne out by the sworn testimony. They stated that they were of that opinion.

Portions of the evidence were read for the Council and also of the depositions taken before the Police Magistrate. From these more especially from the latter it would seem to be alleged that the embezzlement of other sums besides those charged in the indictment had been committed by the prisoner.

Mr Bailey stated in reply to the Governor that although he at first thought at the conclusion of the trial that a sentence of six months imprisonment with hard labour would have been sufficient considering

considering the circumstances, he yielded to the majority of the Magistrates who were strongly of opinion that the crime of embezzlement was of such a serious character and one so difficult to prove, that it would be desirable when a case was established to pass an exemplary sentence as a deterrent to others. This they considered especially necessary in this Colony where it was the custom to entrust men of the class of the prisoner, with the custody of large sums of money.

A conversation then ensued in which attention was drawn to the fact that Allday had conducted himself properly during his period of imprisonment. The Governor stated he feared that that of itself would not be an adequate reason for remitting the sentence passed upon the prisoner having regard to the circumstances of the case.

It was also stated that the petition submitted to the Council did not throw any further light upon the matter or disclose any additional facts in connection with it.

The Governor then formally put it to the Council whether having regard to all the circumstances they would advise him to remit the remaining portion of Allday's sentence?

The Council were unanimously of

opinion that they would not be justified in advising him to do so.

The Governor stated that he did not think it would be for the interests of justice that he should act in opposition to the advice tendered him by the Council and that consequently he would be unable to comply with the prayer of the petition presented to him in favour of the prisoner Allday

The Council then adjourned sine die.

T. F. Gallagher
Governor

The Parsonage
Port Stanley
Falkland Islands
April 4th 1879

My dear Sir,

I beg to enclose a petition signed by over one hundred of the colonists of the Falkland Islands for Thos. Alday. Immediately after his conviction a petition signed by some eighty colonists was sent in: this latter petition was the spontaneous work of the working classes: the present petition would have been more numerously signed had an answer been given to the first: but no answer was returned, hence many colonists felt they had not been treated in a courteous manner.

Neither of the two larger employers of labour in the settlement signed the petition: the one, because he was sitting as a magistrate on the bench when Thomas Alday was convicted: the other, being but a representative of others, did not feel that he could use his own discretion in the matter.

Trusting that your Excellency, taking into consideration the all but unanimous desire of the colonists resident in Stanley, will feel at liberty to grant the Prayer of the petition.

I have the honour to be

Your Excellency's

obedient servant—

Lowther E. Brandon

His Excellency

The Governor

Government-House

Port Stanley

Falkland Islands.

Stanley Falkland Islands
March the 1st 1879.

To His Excellency J. J. Callaghan C.M.G.
Governor & Chief Justice of the Falkland
Islands & their Dependencies.

Sir, We the undersigned, representing the Colonists at large, do humbly beg that Your Excellency will graciously exert your prerogative in granting the release of Thomas William Allday, now undergoing an imprisonment of twelve months duration in Stanley Jail — in consideration of his uniformly good conduct during the Eight months he has already served, the first class testimonials he has from former Employers, & the adverse circumstances of his struggling wife & helpless children —

We presume to hope that graciously considering these matters, & this expression of the wishes of Her Majesty's loyal & loving subjects in the Colony Your Excellency will favorably regard our petition, and we will, ever pray &c. &c.

J. C. T. Willis. A.G.

T. Lund.

James Doran

James Greenshields

Geo. Mason

James Lewis.
John Betts
George Natt
Timothy Hodson
Edw. Edwards
Charles Hansen
George Turner
Wm. T. Williams
W. D. Mc Kee
H. Shulter
Wm. + Martin, Witness, Lowther E. Brandon
L. to Cameron
Henry + Smith, Witness, Lowther E. Brandon
James Felton
T. C. Dettloff.
H. C. Reeves
Allen Riggs
Edward. Wilkins
John Kelyman + J.L.
Chs Williams
Wm Edwards
John Anderson + J.L.
James Hockney
Henry Mannan Carpenter
~~Henry Smith~~ + J.L.
Charles Francis J.L.
Charles Hynum
E. F. Boyce
Jos. Lellyman.
Sam. Simms
James Henderson + J.L.
Frank Joseph
David Young
Henry Francis Lawrence + J.L.

"J.L." Initials of James Lewis witness of mark.

J Jones Capt.
Lt Shop
James Prior
Christian Christensen
John Davis
James Crighton
John D. Keith
Wm. Biggs
J Smith
E. Lines
W Bound
F. Rowlands.
Charles Gladedell
Thomas Laurs
Charles Grice
E. Hereford
A. N. Hurst
H. J. Pitaluga
George H. Crook
Fredrick Lang
D. Rogers
John Oliver
James Smith
David Craig
George Halleck
A. Edwards
L. Newing
Enoch Gladell + J.L.
Fred. & E. Homes
G. Clothier
G. Williams.
Wm. Easton
G. Holway Jun.
W. H. Rendell

C. H. William
John Peck Lun
Edward J. Biggs
George P. Biggs
W. Ratcliffe
William J. Elmes
Andrew Laverton
John Giles
Thomas Cuzzy
John Steel
William Guston
A. McLauchlen
D. McLauchlen
J. Myles
George Perring
J. Rodriques
C. Allen
Joseph Marry
William Phillips
Andrew Halliday
Alan Scott
John Nixon
John Coy
Robert McCully
Lyde
Geo Shoots
John Lawrence
John Halliday
Joseph Bolton
Charles Gibbard
Henry Adams
Joseph Seelordo + J.L.
Lowther E. Brandon

Police Office Stanley
7th April 1879

Sir

I have the honour to
acknowledge the receipt of your
letter of 5th days date requesting
for the information of His Excellency
the Governor a written report
from myself and the Magistrates
who assisted with me at the trial
of Thomas William Alcock on the
6th of July last and beg to hand
=Post the enclosed as stating
the opinion of those of the Magistrates
who attended

I have the honour
to be Sir
Your obedient servant
Robert Stanley

John D. Collins Esq
Actg Col Secretary

Magistrates' Court.
Stanley. Falkland Islands.
April 7th 1879.

Sir.

Since receiving Your Excellency's letter of this days' date. we the undersigned have read the evidence taken at the trial of Thos: William Allday, on the 9th July last. on the charge of theft and embezzlement of certain bronies belonging to the Falkland Islands Company. After consultation, and taking into consideration the circumstances brought forward during the trial, are of opinion that the sentence is a lenient one, and it was made lenient by us in consequence of the jury, who found him guilty on all counts

recommending him to mercy.

To His Excellency
Governor Callaghan, C. M. G.
Government House,
Stanley.

Arthur Bailey
Elvie Kaufiate.
George M. Dean J.P.
Ernest Marsh J.P.
C. M. Dean. J. P.

# Executive Council

Tuesday. 2nd December 1879.

Present H.E. Governor Callaghan C.M.G.
The Hon.ble D. H. Watts. Arthur Bailey Esq. & D. S. Hamilton

The Council met pursuant to summons.

The Governor informed the Council that Her Majesty's approval of D. Hamilton's appointment as a Member of the Executive Council had been received, and D. Hamilton took the oath as a Member of Council accordingly

The Minutes of last meeting held on the 8th April 1879 were read and confirmed.

The Governor informed the Council that they had been summoned to consider how best to give effect to the instructions of the Secretary of State contained in Despatch No 32 of the 25th November 1875. regarding three farms in the present occupation of Messrs Smith, Carlson, and Dettleff. which they would have to surrender on the 31st December next. This Despatch was read to the Council, and also Despatches from the Secretary of State No 12 of the 19th April 1876 and No 31 of 8th

8th November 1876. also Governor Callaghan's Despatch No 37 of 8th August 1876.

The Governor asked Mr Bailey to be kind enough to state the probable acreage of the three farms in question.

Mr Bailey informed the Council that as far as he was able to judge from the description of the boundaries, the acreage not having been stated in the original leases of these farms, he considered in the case of Smith's farm, which is situated in a peninsula completely fenced in by a wire fence extending across the neck of the peninsula, about 1800 acres nearly two thirds of which was sand, in the case of Coulson's about 4000 acres, and of Deltieff's about 3700 acres.

Peninsula "Smith" 1800 acres
Coulson 4000 acres
Deltieff 3700 acres

The Governor put it to the Council whether they considered it desirable to reduce the size of the farm now occupied by Smith. The Council were unanimously of opinion that the size of it should not be reduced.

The Governor submitted to the Council whether the other farms were too large for the depasturing of sheep. A long conversation took place on this subject amongst the members, and it originally considered that it would be desirable to divide Coulson and Deltieff's farms into two. Ultimately however it was considered that in this event there would be only one lot with buildings erected upon it, and that in the case

case of the smaller class of farmers whom it was sought to encourage, the expense of having to erect buildings for the short term of only three years would be more than they could bear. Besides it was considered that the present buildings on these two farms, were, if not altogether sufficient, nearly so for their requirements in their present size. The case would have been different if instead of being pasture, it were land of a kind suitable for tillage. Sheep farming had been commenced upon these farms, and it is not likely that they would be devoted to any other purpose. They must therefore be regarded as sheep farms, and as such they were rather small than otherwise, there being no other sheep farmer with less than one or two sections of 6000 acres.

After this discussion the Council were unanimously of opinion that it would not be desirable to divide these farms.

The Council were of opinion that the rent of Coulson's farm should be £30 a year, instead of £20 as at present, Sutcliffe's £40, and that Smith's should be increased to £20. The rent being thus fixed the bidding is to be upon the premium to be paid for the licence of each farm. The rent and premium to be paid at the Government Office, one half on the day of the acceptance of the offer, and the remainder within a month from that date.

The Council were also of opinion in the

the event of the farms changing hands at the auction, that it was just that the incoming licencée should pay to the present occupier within a month from the day of the acceptance of the offer, the value of the fencing and all buildings erected on the farms, such value to be determined by arbitration in the usual way. If payment of the amount determined be not made within the time specified, the licencée is to forfeit his licence.

The highest offer is not necessarily to be accepted, and no offer is to be accepted, except with the approval of the Governor, with the advice and consent of the Executive Council.

The Governor informed the Council that he thought it would be desirable to sell three of the stone Cottages with the gardens attached, two of which are now vacant and one is at present in the occupation of the Chief Constable and shortly to be vacated by him.

The Council approved of their being put up to auction on the same day as the farms, which the Council fixed as the 3rd day of January 1880

The Council then adjourned sine die.

(signed) J. F. Callaghan
Governor.

# Executive Council.

Saturday - 20th December 1879.

Present. H. E. Governor Callaghan C. M. G.
The Houble Dr. H. W. Watts.
" Arthur Bailey Esq.
" Dr. S. Hamilton.

The Council met pursuant to summons
The Minutes of the last meeting held on the 2nd December last were read and confirmed.

The Governor called upon the Clerk to the Council to read a letter which had been received from Mr. Smith, the present tenant of the Peninsula Farm stating that according to his lease he was entitled to six months notice to quit his farm determinable as provided by English Law only at the end of any current year.

The Governor read the correspondence bearing upon the subject of the three leases granted to Messrs Smith, Coulson and Dalzell and stated that in his opinion Smith had ample notice.

Colonel D'Arcy in his despatch to the Earl of Carnarvon No 10. of 15th February 1876 states that he communicated the Secretary of States original instructions regarding these farms, which were that the leases of them were open to question not having been granted with the consent of the Executive Council

Council and not bring assented to by the Crown, and directing him to give notice to the parties that the leases were to terminate on the 31st December 1877.

He had himself requested Mr. Travis to inform Smith of the compromise arrived at in 1876 and approved of by the Secretary of State, viz - that his lease and the others were to be determined on the 31st December 1879.

He had also requested Mr. Collins to inform Smith, when he paid his last rent, of the same fact.

Mr. Collins in reply to the Governor stated to the Council that he had done so.

It was a matter generally well known in the Colony and it was not at all likely that Smith so intimately concerned in it should have been ignorant of it.

The Governor stated that Smith had not behaved well in the matter. In this view the Council concurred.

However the Governor stated that under the circumstances he scarcely thought it worth while to enforce the rights of the Government in the case, and that as Smith insisted upon his right to have six months' notice in writing, according to the express terms of the lease, it would be better to let him have it, than have a dispute between the Government and a man of his class on the subject.

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The Governor then moved that the notice on the Gazette Board, putting up for sale on the 3d January next the licence to occupy the farm in question, be for the present withdrawn.

The Council agreed to this.

The Governor also proposed that it would be desirable to give six months notice, in writing to Smith, to determine the lease, on or before the 1st January next, in order that the licence of the land should at the expiration of that period be put up to public auction.

The Council also agreed to this.

The Governor stated that on receiving six months notice, Smith's lease would be terminated according to its terms and that the latter part of his letter was evidently written under an erroneous impression.

The Council then adjourned sine die.

(Signed) T. T. Callaghan
Governor.

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Executive Council.

Monday - 5th January 1880

Present. H.E. Governor Callaghan C.M.G.
The Hon'ble Arthur Bailey Esq
" " Dr. S. Hamilton.

The

The Council met pursuant to summons.

The Minutes of the last meeting held on the 20th December 1879 were read and confirmed.

The Governor informed the Council that the licences to occupy the two farms formerly occupied by Messrs Dattleff and Coulson had been put up to public auction on Saturday last as agreed to by the Council.

Mr. Dattleff was the only bidder for the Mullet creek Farm now occupied by him, for which he had bid the rental of £40 a year without a premium.

The Governor stated that in his opinion £40 was a sufficient rent for the farm in question, in this opinion the Council concurred.

The Governor then moved that although no premium had been bid by Mr. Dattleff, and as there was no other offer for the farm, a licence for three years be granted to him from the 17th December last, at an annual rental of £40.

The Council agreed to this proposal.

The Governor stated that he was informed that there was no bid made for the Moody Valley Farm.

The Governor called upon the Clerk to the Council to read a letter dated the 9th December last, which had been received from Messrs Coulson and Co. the occupiers of this farm.

He stated to the Council that it was notorious in the Colony that Coulson and his partner Bender, were in a very embarrassed position and had not sufficient capital to work the Farm, and he considered it very undesirable that a person holding the position of Government Messenger and carter should continue to occupy a farm, which he had not sufficient money or time at his disposal to work. His whole time was taken up in the Government service. If he continued to hold the farm he was in a fair way to becoming a bankrupt which might seriously jeopardize his position under Government.

He stated that after the auction he had sent for Coulson and his partner Bender and that the former had expressed his great anxiety to get rid of the farm as soon as possible, and he hoped that he and his partner might be allowed to hold it at the rent of £20 a year for twelve months more commencing on the 25th Decr last, during which time he (Coulson) hoped that he would be able to dispose of his share in the stock &c.

The Governor thought that in view of the statement in the letter of Coulson and Coy. with regard to buyers of stock being on their guard, and only waiting to buy from them at a sacrifice, it would under the circumstances be only fair to allow them to occupy the farm for the period requested - i.e. - up to 24th Decr next at a rent of £20 and £, the shilling being added

added for the purpose of marking that it was a new tenancy and that they were not holding under the former lease which had been determined

The Council concurred in this opinion.

The Governor then moved that William Coulson and his partner Bender should be allowed to occupy the Moody Valley Farm for one year commencing on the 25th December last at the rent of £20.0/- and that it should be distinctly intimated to them that they would not be entitled to any further notice to determine the occupancy of the farm at the expiration of that period, and that a licence to occupy it for three years would be put up to public auction at the expiration of their present year of occupancy ending on the 24th December next.

The Council agreed to this proposal.

The Governor then informed the Council that in order to determine his present lease, six months notice had been given to James Smith on the 1st inst, as proposed at the last meeting of the Council.

The Governor also drew attention to the latter part of a clause in Smith's lease of the Peninsula Farm which was to the effect that the horses belonging to the Government should be allowed to feed in the Peninsula and stated that when he proposed to the Council that the Peninsula Farm should be put up at a rent of £20 a year he was unaware

unaware that that clause existed, and thought that it would be only fair that some deduction from this rent should be made when the licence to occupy it, is put up to auction, on account of the privilege granted to the Government.

The Governor thought it desirable that the first part of this clause, which provided "that all persons either on foot or on horseback shall have free ingress and egress" to and from the farm, together with the latter part regarding the Government horses should also form part of the conditions under which the licence to occupy the farm should be put up to auction.

The Council agreed to this

The Council adjourned sine die.

(signed) T.T. Callaghan
Governor.

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Executive Council.
Friday - 6th February 1880.

Present: H.E. Governor Callaghan Chmn.
The Hon'ble Arthur Bailey Esq
" " Dr S. Hamilton.

The Council met pursuant to summons.

The minutes of last meeting held on the 5th ult were read and confirmed.

The Governor called on the Clerk to the Council to read a Despatch No 36 of the

the 10th October last, with its accompanying enclosures which had been received from the Secretary of State regarding a proposal made by Colonel Bragge to establish "the working steam fuel" in the Colony.

The Governor drew attention to the application made by the Falkland Islands Company for a concession of peat bearing land in 1874, for the manufacture of patent fuel and called upon the Clerk to the Council to read a despatch No. 27 of 7th September 1874 which had been received from Earl Carnarvon on the subject, regulating the terms upon which such concession should be made.

The Governor also drew attention to the application made by Mr. Nord in January 1877, for a grant of 500 acres of peat bearing land for a similar purpose, said grant to be further increased should the success of the enterprise warrant it.

He stated that a report upon the quantity of peat bearing land in these Islands had been made by Mr. Bailey, the late Surveyor General on the occasion of Mr. Nord's application.

He stated that no further steps were taken either by the Falkland Islands Company or Mr. Nord in the matter.

In the report referred to Mr. Bailey states "The unoccupied land near Stanley belonging to the Crown comprises an acreage of from 5000 to 6000 acres and out of this at least 3000 are peat banks with an average

of

of 9 to 10 feet in depth.

After some discussion on the subject the Council were unanimously of opinion that before giving such a large concession as that asked for by Colonel Wragge it would be well that the experiment were tried on a smaller scale, somewhat in the manner proposed by Mr. Rood in his application, the grant of peat bearing land made, to be further increased "should the success of the enterprize warrant it.

The Council thought that if a licence to work 1000 acres of peat bearing land in the neighbourhood of Stanley to be selected by the local government were granted to Colonel Wragge, that this would afford him an ample opportunity of trying the — experiment.

The Council thought this licence should be granted in accordance with the terms contained in Earl Carnarvon's Despatch No 27 of 7th September 1874 except as regards the amount of Royalty to be charged which seemed rather high at 3/6 for each ton weight of peat manufactured.

The Council having no means of knowing how many tons of raw peat would be required to produce a ton of steam fuel, felt unable to say precisely what the royalty ought to be, but were of opinion that 6d a ton was much too low. The amount of royalty however would

would perhaps best be fried between the Colonial Office and Colonel Wragge. The Falkland Islands Company according to their application were satisfied to pay a royalty of not exceeding 2/6 a ton.

The Council were of opinion that it would be very desirable that Colonel Wragge or some other competant person on his behalf should visit the Colony before embarking upon the undertaking, in order to make the necessary arrangements with the local Government.

The question of labour which is so scarce and so dear in the Colony, where even the most indifferent labourer gets 6/- a day would have to be seriously considered. Colonel Wragge would find it very difficult to get any labour in the Colony for his undertaking and would have to import his workmen.

Providing the necessary house — accomodation for them would have to be attended to, as there are scarcely any unoccupied houses in the Colony. Perhaps it might be found necessary to import framed houses.

Mr. Bailey stated in reply to the Governor that he believed that after reserving a sufficient quantity for the use of the inhabitants & the detatched houses and settlements throughout the Islands there would be a vast quantity of peat within easy access to harbours available for being

utilized in the manner proposed by Colonel Wragg.

The Council were of opinion as regards the Lessees generally that they would not object to allow a portion of their land to be occupied and used for the proposed manufacture as having so many additional men employed on their farms, would give them a market which they much want for their beef and mutton, milk and butter. Besides the vessels, steamers or others which called for the steam fuel, could bring them stores, and take away their wool &c, which would be a great boon. The injury done to the grazing on their farms would be very slight. The grazing on the peat banks is generally very bad and moreover the ground occupied would be very small in comparison with the vast extent of the farms.

The Council also thought if the experiment succeeded when tried on a smaller scale, that some of the more prosperous lessees, would avail themselves of the privilege conferred by Ordinance No. 1 of 1872 "to purchase at the upset price of country lands in force at the time of such purchase, any further quantity of land comprised in his station, that he may require selecting for their purchase the peat bearing land on their farms.

However the Government might at any time raise the upset price of land and possibly if the peat enterprise prove successful

successful, peat may hereafter be reserved in crown grants of land. Which is not the case at present.

The Council were also of opinion that if the peat project succeeded it might hereafter be deemed necessary to insert a clause in future leases empowering the local government to allow its nominees use of a portion of the land leased for peat manufacturing purposes, on certain conditions to be defined in the leases.

In reference to this latter point the Council were of opinion that in the licence to occupy the Moody Valley Farm to be again put up to auction on the 1st January next, a clause of this nature ought to be inserted, and a similar clause in the licence of the Peninsula Farm when put up to auction, both these farms being in the neighbourhood of Stanley, and very convenient as sites for the proposed undertaking.

The Governor suggested that in view of Colonel Bragge's proposal, it would be well to postpone the sale of the licence of the latter farm from the 1st July to the 1st January next.

The Council approved of this proposal.

The Governor also suggested that in view of the proposed clause in the licences of both these farms, that when they were put up to auction, the rent reserved should be the same as hitherto.

The Council approved of this suggestion.

The

The Council did not think there was any foundation for believing that coal existed in these Islands especially in view of the report made by the Challenger expedition in 1876. They were therefore of opinion that in considering the question of converting the peat of the Islands into patent fuel, the question of the existence of coal may be left out of consideration as having no practical bearing on the subject.

The Council were unanimously of opinion that it would conduce greatly to the prosperity of these Islands if some well devised scheme for converting into steam fuel the vast amount of peat which they contain were successfully carried out, and trusted that the Government would afford every reasonable to Colonel Wragge in the matter.

The Governor then called upon the Clerk to the Council to read an application received from Bishop Stirling on behalf of the South American Missionary Society, for a renewal of the lease of Passage and Dry Islands and the adjoining Islets, which had expired.

The Governor proposed that a renewal of this lease be granted on the same terms as before.

The Council agreed to this proposal.

The Council then adjourned sine die.

(Signed) T. T. Callaghan
Governor.

(Copy) From Press Copy Book (413)

Stanley. Falkland Islands.
10th Sept. 1878.

Sir,

We have the honor to apply for a lease of the Passage Islands, the First & Second Island, off Dunnose Head; - this application is made only provided the above Islands are not admitted to be included in Wm. E. Packes' lease of Dunnose Head, and that he does not require them.

We have the honor to be,
Sir,
Your Excellency's Obedt Servts
(Sd) J. M. Dean & Sons.

To H. E.
Acting Governor Bailey,
&c &c
Government House,
Stanley.

(Copy / From Press Copy Book (575/

Stanley, Falkland Islands.
6th February, 1880.

Sir,

As New Island Lease expires this year, we have the honor to apply for a renewal of the lease for a term of Twenty one (21/ years.

We have the honor to be,
Sir,
Your obedient Servants,
F. M. & Co.

To/
John M. Collins Esqre
Acting Colonial Secretary,
Stanley.

The Council did not think there was any foundation for believing that coal existed in these Islands especially in view of the report made by the Challenger expedition in 1876. They were therefore of opinion that in considering the question of converting the peat of the Islands into patent fuel, the question of the existence of coal may be left out of consideration, as having no practical bearing on the subject.

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The Governor proposed that a renewal of this lease be granted on the same terms as before.

The Council agreed to this proposal.

The Council then adjourned sine die.

(Signed) T. T. Callaghan
Governor.

Executive Council.
Saturday. 15th May 1880.

Present. H. E. Governor Callaghan Chmn.
The Hon'ble Arthur Bailey Esq.
" " Dr. S. Hamilton.

The Council met pursuant to summons.
The minutes of last meeting held on the 6th Feby last were read and confirmed.
The Governor stated that he had summoned the Council to consider several applications which had been made for the renewal of certain expired leases and called on the Clerk to the Council to read a letter dated 15th January 1879 received from Mr. Cobb on behalf of the Falkland Islands Company applying for a renewal of the lease of Section 44 which expired on the 6th June last.
The Governor stated that he had delayed submitting this application to the consideration of the Council until he had received a draft from the Secretary of State of a Bill to Amend the Land Ordinance 1871. This draft was received last mail and would be shortly submitted to the Legislative Council, and when passed would empower the Governor in Council to grant renewals of leases under the old Proclamation, for twenty one years under certain conditions specified therein.
The Governor stated that he would draw the attention of the Council to the

Subject

subject as soon as the Bill had passed the Legislative Council and said that as far as he was aware he did not think there would be any objection to granting a renewal of this lease for twenty one years, as soon as the Governor in Council was empowered to do so by the passing of the Ordinance in question.

The Council concurred in that opinion.

The Governor then called on the Clerk to the Council to read a similar application which had been received from Mr. James Felton, for the renewal of the leases of sections 9 and 10, which expired on the 14th February last.

The Governor stated that he would draw the attention of the Council to the subject when the Ordinance before referred to had passed the Legislative Council, but he did not apprehend that there would be any objection to granting the renewals of these leases for twenty one years.

He said he was informed that each of these two sections contained about 10.000 acres, and the lessee would of course have to pay rent at the rate of £10 for every 6000 acres

The Council assented to this proposition.

The Governor then called upon the Clerk to the Council to read an application which had been received from Mr. Cobb for the renewals of the leases of Sections 24 and 25 which expired on the 6th March last.

The Governor stated that the subject of

of this application had been under his consideration for some time, and in the view of the fact that it may be found necessary before very long to proclaim a township at Darwin Harbour, he would submit to the consideration of the Council whether it would be desirable or not to grant the renewals applied for.

He had recently made a Government reserve of 2500 acres in addition to the 500 acres formerly reserved on Section 8. which adjoins Section 24, with a view to that contingency.

The Governor then asked Mr Bailey the late Surveyor General whether sections 24 and 25 were within six miles by land of this Government Reserve. On a reference to the Nautical Chart Mr Bailey said that both were within that distance.

The Governor stated that he had had a conversation with Mr Cobb some time since, who said as he understood him that Sections 24 and 25 were not within six miles by land of the Government Reserve at Darwin.

After a reference to Mr Bailey the Governor stated that probably what Mr Cobb must have been thinking of was the Company's Settlement at Darwin Harbour, not the Government Reserve.

In the event of a township being proclaimed at Darwin Harbour the Governor observed that it would be very desirable to have land so circumstanced and situated as

Sections

sections 24 and 25 in the possession of the Government, which could be utilized for town and Suburban lots and small farms and public purposes generally.

Under these circumstances the Governor stated that with a view to the public interests he did not think it would be desirable to grant renewals of the sections in question for any long term.

The Council assented to this opinion.

The Governor observed that of course the Falkland Islands Company would remain in possession of the freeholds of 160 acres on each of these sections, formerly purchased by them, and he thought that a similar arrangement to that adopted in the case of the Government Reserves on Sections 7 and 8 would be the best to adopt under the circumstances.

This would be to grant the Company special leases to occupy the sections in question — exclusive of the freeholds thereon — from year to year at a rent of £10 for every 6000 acres, and subject to the same conditions and reservations as are contained in the special Leases of the Government Reserves on Sections 7 and 8.

The Council approved of this arrangement.

The Governor then called on the Clerk to the Council to read Section 5 of the Quarantine Ordinance No 3 of 1875 viz.

"Whenever it shall appear to the Governor

Governor in Council that any disease of a contagious or infectious character prevails at any port or place, or that it is probable that any such disease might be brought into the Colony from any port or place, it shall be lawful for him to declare by Public Notification that such port or place is an infected port or place".

The Governor stated that this matter had never been formally submitted to the Council as far as he was aware, and he thought it desirable that the Council should declare what ports or places were to be considered infected within the meaning of the Section.

The Council were of opinion that the Ports in the Brazils and the River Plate should be considered such places, and that a public notification to this effect should be published in the Gazette.

The Governor then adjourned the Council sine die.

(Signed) T. T. Callaghan
Governor.

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Executive Council.
Thursday 27th May 1880

Present H. E. Governor Callaghan C.M.G.
The Hon'ble Arthur Bailey Esq
" " D'S. Hamilton "

The Council met pursuant to Summons.

The minutes of the last meeting held on the 15th inst: were read, corrected and confirmed.

The Governor asked Mr. Bailey with reference to the position of Sections 24 and 25 regarding the Falkland Islands Company's settlement at Darwin, who stated that in point of fact, measuring from the nautical chart, the whole of Section 24 was within six miles by land of the Company's settlement at Darwin, and that the greater portion of Section 25, was also within the same distance by land from it. The 500 acres on Section 8 reserved by Governor Robinson in 1869 is immediately opposite to the Company's settlement at Darwin and not distant by water ½ a mile from it, or by land not two miles from it.

In the event of a township being proclaimed, this Government Reserve and the 2500 acres recently added to it as a Government reserve, would necessarily form a part of the township, as the Government have no ground on the opposite side on which to erect public buildings &c, they could not erect them there without purchasing, probably at an extravagant price, the land which was formerly their own and which they sold to the Falkland Islands

Islands Company for Land Orders.

The real point in the matter was what was the position of Sections 24 and 25 with regard to the Government Reserve at Darwin Harbour, and the Council had already been informed by Mr Bailey at its former sitting, that both these Sections were within Six miles by land of this reserve.

The Council then adjourned sine die.

(Signed) J. F. Callaghan
Governor.

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Executive Council.
Monday 31st May 1880.
Present H. E. Governor Callaghan C.M.G.
The Honble Arthur Bailey Esq
" " Jr-S. Hamilton.

The Council met pursuant to summons.
The minutes of last meeting held on the 27th inst: were read and confirmed.
The Governor drew the attention of the Council to the necessity of making another Quarantine Regulation in pursuance of the power vested in the Governor in Council by Section 4 of the Quarantine Ordinance No 3 of 1875.
The Governor thought it would be better

better as a Quarantine Regulation than as a Harbour Regulation and it would not be contained in the new Port Regulations about to be published.

The Governor then called upon the Clerk to the Council to read the proposed Quarantine Regulation viz:-

"That no person - except the Pilot or his assistant - in any boat from the shore or in any boat belonging to any ship in the Harbour shall hold any communication whatever with any person on board any vessel arriving from the Brazils or the River Plate until the Health Officer has boarded the vessel and given pratique, and any person offending against this Regulation shall be liable to a penalty of not less than £5 and not exceeding £50"

The Council approved of its adoption

The Council then adjourned sine die

Confirmed 2nd December 1880 (signed) J. Kerr

(signed) John Wright Collins
Clerk to the Council.

Governor

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Executive Council.
Thursday 2nd December 1880.
Present H.E. Governor Kerr
The Honble Arthur Bailey Esq.
" " Dr. S. Hamilton.

The

The Council met pursuant to summons.

The minutes of the last meeting held on the 31st May last were read and confirmed.

The Governor stated that he had summoned the Council to consider the question of again putting up to auction the licences to occupy the Woody Valley and Peninsula Farms.

The Governor then called upon the Clerk to the Council to read extracts from the Minutes of the Councils held on the 2nd December, 20th December, 5th January, and 6th February last, bearing upon the question of these suburban leases, also an extract from the Earl of Carnarvon's Despatch No: 32 of the 25th November 1875. in which certain rules are laid down regulating the disposal of the Crown Lands within six miles of Stanley or of any township hereafter to be proclaimed.

After some discussion on the subject the Governor proposed that in accordance with the Secretary of State's instructions contained in the Despatch referred to, licences to occupy these farms for three years should be put up to public auction on the 23rd inst.

The Council agreed to this proposal.

The council were unanimously of opinion that these licences should be put up on the former conditions with the

the exception of the annual rent which was fixed in the case of the Peninsula Farm occupied by Smith at £15 and in the case of the Woody Valley Farm occupied by Coulson at £25.

The Council were further of opinion that a clause should be added to the conditions relating to the Peninsula Farm, reserving to the Government the right of pasturing four horses on that farm, and that all persons shall have a right of way to the Lighthouse by the ordinary track as heretofore.

The Governor wished to ascertain the opinion of the Council as to the advisability of taking measures to protect the Crown Land around Stanley commonly called "The Common" which he had been informed had been diverted from its original purpose viz: that of a grazing ground for the milch cattle and horses of the inhabitants of Stanley.

Mr. Bailey stated that the pasture had almost entirely been destroyed by the number of sheep which had of late years been turned loose upon it, which have left no herbage for the support of horses and cattle for which it was originally intended.

Mr. Bailey further stated that in consequence of the destruction of the grass several valuable horses had died from swallowing sand adhering to the roots of the

the roots of the grass, which had been eaten too closely by the sheep.

It therefore appeared to the Council necessary that some measure should be introduced by which sheep may be prevented from coming upon the Common.

It was agreed that this question should be left over for further inquiry and deliberation

The Governor then asked the opinion of the Council as to the advisability of filling up a vacancy which will take place in the Police Force on the 1st January next, by appointing the present assistant to be a regular Constable.

The Council agreed with the Governor's suggestion, being of opinion that there was no necessity for additional Constables as the services of special Constables in cases of emergency are always available.

The Governor then adjourned the Council sine die.

(Signed) J. Kerr
Governor.

approved 17th Dec 1880.
(signed) John Wright Collins.
Clerk to the Council.

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Executive Council.
Friday 17th December 1880
Present H.E. Governor Kerr,
The Hon'ble Arthur Bailey Esq.
" " W. S. Hamilton.

The Council met pursuant to summons.
The Minutes of last meeting held on the 2nd Inst: were read and confirmed.

The Governor stated that he had summoned the Council to consider an application for leave of absence which had been received from the Revd L. E. Brandon the Colonial Chaplain, which he called upon the Clerk to the Council to read.

The Governor stated that Mr Brandon had satisfied him as to the nature of his "urgent private affairs" and under the circumstances he saw no objection to the leave applied for being granted: viz: three months leave of absence, also an extension of leave of absence for four months on half Salary.

The Council concurred in this opinion.

The Governor mentioned that during Mr Brandons absence the duties of schoolmaster would be discharged by Mr Lewis who had performed these duties during his visit to the West Falklands and the other islands.

The Council were of opinion that in event of a Schoolmaster being sent out from home, it would be desirable that he should be a married man, whose wife should be competent to teach the infant school.

The Governor then drew the attention of the Council to the desirability of taking some steps with a view to introducing an

Ordinance

Ordinance to provide for taking a census of the population in April next, which time will coincide with the general Census to be taken throughout the British Dominions.

The Council agreed with this proposal.

The Governor then drew the attention of the Council to the necessity of making an addition to the Standing Orders of the Legislative Council and submitted a draft of the proposed rule, viz:—

A Bill which shall have been introduced and passed, but which shall not as yet have received Her Majesty's assent may by leave of the President and Majority of the Council be amended and in such case the Council shall go into Committee and determine whether such amendments shall or shall not be adopted, and any amendment which shall be adopted shall be inserted by the Clerk of the Council in the original Bill, and when so inserted such amendment shall form part of the Bill to all intents and purposes, as if such amendment had been originally inserted therein:

The Council agreed that the rule submitted is a necessary and proper one.

The Governor then asked the Council for information regarding the Seal Fisheries of the Colony with a view to introducing an Ordinance for the Establishment of a Close Season.

W.E.

Mr. Bailey put in a Memorandum respecting the habits of the Seals and their breeding season and gave some information with reference to the destruction of the young seals by indiscriminate fishing which it is presumed formerly occasioned the extermination of the Seal Fishery in these Islands. Seals are said to be now returning in consequence of the Fishery being carried on to a very great extent in the neighbourhood of Cape Horn and the Straits of Magellan.

The Governor then called upon the Clerk to the Council to read a letter which he had received from Mr Smith asking for a postponement of the auction of the lease of the Peninsula Farm.

He further stated that he had had a conversation with Smith on the subject.

The Council were unanimously of opinion that the Governor would not be justified in postponing the auction as no sufficient reason had been shown by Smith for doing so.

The Governor then adjourned the Council sine die.

Confirmed
(Signed) John Wright Collins
Clerk to the Council

J. Kerr.
Governor.

Executive Council.
Wednesday 29th December 1880.
Present H. E. Governor Kerr
The Honble Arthur Bailey Esq.
" " Dr S. Hamilton.

The Council met pursuant to summons.
The minutes of last meeting held on the 17th inst: were read and confirmed.
The Governor informed the Council that the licences to occupy the Peninsula and Moody Valley Farms had been put up to auction x of the 23rd inst: as determined by the Council. (sic in orig.)
Mr Smith the present occupier of the Peninsula Farm had offered the reserved annual rent of £15, without any premium and Charles Bender had offered the reserved annual rent of £25 without any premium for the Moody Valley Farm.
The Council were unanimously of opinion that these offers should be accepted and that licences to occupy these farms should be issued for three years.
It was further agreed that Smith should be allowed to run a fence due North and South from the North West end of his present fence to the South coast, and the Council deputed Mr Bailey to determine the boundary.
There was then read a letter from Messrs Bender and Coulson.

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The Council were of opinion that this joint letter of Messrs Bender and Coulson could not be considered. Under any circumstances it would be impossible to comply with the request contained in the letter that a portion of the suburban land lying between the head of the Bay and Fairy Cove should be added to the Woody Valley Farm, that land being already Marked off in lots for sale, and subject to any bid that may be made for them.

The Council agreed that the upset price of the peice of land adjoining the Government Paddock requested to be put up to auction by Capt. Packe should be fixed at £12 an acre, being the same upset price as that fixed for the special suburban which had already been purchased by him and other parties

The Governor then asked the sanction of the Council to the expenditure of £128.14/- for the purchase of a quantity of pipes, which had been bought last week at public auction for the water supply and drainage of the town.

The Council were of opinion that the opportunity of obtaining these pipes at such a moderate cost was properly taken advantage of.

The Governor informed the Council that he proposed writing to the Secretary of State, to ask his sanction to increasing the

the accomodation for the Governor's family at Government House.

The Council were of opinion that increased accomodation had been long wanted and was quite necessary.

The Governor then drew the attention of the Council to the question of the collection of the Customs duties. Under the present regulations Customs Duties are paid for at long periods after goods have been imported, viz: one fourth within three months and the other three fourths within twelve months, while a discount of 5% is allowed for cash payments.

He considered that the present system was a very unsatisfactory one, and he proposed to introduce an Ordinance with a view to the establishment of a Bonding Warehouse, so that the duties on Goods liable to Customs should be paid before the goods are taken into Consumption.

The Council concurred in this proposal.

The Governor then read a Circular from the Secretary of State of the 1st April last with reference to the application to the Colony of Clause 4 of Article 6 of the Postal Union Convention, which provides for the payment of an indemnity of 50 francs to the Sender in case of the loss of a registered Article while in transit through the post.

He proposed to give effect to the Secretary of States instructions by introducing

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an Ordinance on the subject, with which proposal the Council concurred.

The Governor then read a letter from Captain Packe on the subject of the Woody Valley Farm asking that the lessee should be restrained from keeping more than a certain number of sheep, and that he should prevent his sheep from straying over the neighbouring lands.

The Council were of opinion that it appeared to be a question of private rights for which there is a remedy at law, but which the Government would not be authorized in interfering with.

The Governor then adjourned the Council sine die.

Confirmed 4th Jany 1881.
(Sigd) John Wright Collins
Clerk to the Council.

(Sigd) T. Kerr
Governor.

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Executive Council.
Tuesday 4th January 1881.
Present H. E. Governor Kerr.
" The Honble Arthur Bailey Esq.
" " " Dr S. Hamilton.

The Council met pursuant to Summons.
The minutes of the last meeting held on the 29th ultimo were read and